

SECOND REGULAR SESSION

HOUSE BILL NO. 1860

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROORDA.

5940H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 650, RSMo, by adding thereto five new sections relating to the Motor Vehicle Theft Prevention Act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 650, RSMo, is amended by adding thereto five new sections, to be known as sections 650.700, 650.703, 650.706, 650.709, and 650.712, to read as follows:

650.700. Sections 650.700 to 650.712 shall be known as the “Missouri Motor Vehicle Theft Prevention Act”. As used in those sections, the following terms shall mean:

- (1) “Council”, the Missouri motor vehicle theft prevention council;**
- (2) “Department”, the department of public safety;**
- (3) “Director”, the director of the department of public safety;**
- (4) “Fund”, the motor vehicle theft prevention trust fund.**

650.703. 1. Beginning January 1, 2015, there is hereby created within the department, the Missouri motor vehicle theft prevention council to improve and support motor vehicle theft law enforcement and the prosecution and administration of motor vehicle theft laws.

2. There shall be eleven members selected to serve on the council. Those members shall include the director, superintendent of the state highway patrol, chief of police of the St. Louis county police department, chief of police of the St. Louis metropolitan police department, chief of police of the Kansas City Missouri police department, and six members listed below to be appointed by the governor:

- (1) The prosecuting attorney of any county;**
- (2) The chief law enforcement officer of any county; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 (3) Four representatives of the insurance industry authorized to write motor vehicle
13 insurance and domiciled in this state.

14 It shall be the duty of the director to serve as chairman of the council.

15 3. The six appointed members of the council shall be appointed to four-year terms
16 except that of the first such council members appointed, the prosecuting attorney of any
17 county and two representatives appointed from the insurance industry shall be appointed
18 to two-year terms.

19 4. The council shall meet at least once each calendar quarter to conduct its business.
20 The chairman shall give notice to each member of the time and place of each meeting of the
21 council at least ten days before the scheduled date of the meeting, and notice of any special
22 meeting shall state the specific matters to be considered in the special meeting which is not
23 a regular quarterly meeting.

24 5. The council members shall serve without compensation but shall be reimbursed
25 for actual and necessary travel and other expenses incurred in the performance of his or
26 her duties as council members.

27 6. The director shall employ such administrative, professional, clerical, and other
28 personnel as may be required and may organize such staff as may be appropriate to
29 effectuate the purposes of sections 650.700 to 650.712.

 650.706. 1. The Missouri motor vehicle theft prevention council shall have the
2 following powers, duties and responsibilities:

3 (1) To apply for, solicit, receive, establish priorities for, allocate, disburse, contract
4 for, and spend funds that are made available to the council from any source to effectuate
5 the purposes of sections 650.700 to 650.712;

6 (2) To make grants and to provide financial support for federal and state agencies,
7 political subdivisions, corporations, and community and business organizations;

8 (3) To assess the scope of the problem of motor vehicle theft, including particular
9 areas of the state where the problem is greatest and to conduct impact analyses of state and
10 local criminal justice policies, programs, plans and methods for combating vehicle theft;

11 (4) To develop and sponsor the implementation of statewide plans and strategies to
12 combat motor vehicle theft and to improve the administration of the motor vehicle theft
13 laws and provide an effective forum for identification of critical problems associated with
14 motor vehicle theft;

15 (5) To coordinate the development, adoption and implementation of plans and
16 strategies relating to interagency or intergovernmental cooperation with respect to motor
17 vehicle theft law enforcement;

18 (6) To report annually, beginning January 1, 2016, to the governor and the general
19 assembly, on the council's activities in the preceding year;

20 (7) To exercise any other powers that are reasonable, necessary, or convenient to
21 fulfill its responsibilities; to carry out and to effectuate the objectives and purposes of the
22 council and the provisions of sections 650.700 to 650.712; and to comply with the
23 requirements of applicable federal or state laws or regulations.

24 2. The department may promulgate rules as necessary to implement the provisions
25 of this section and sections 650.700 to 650.712. Any rule or portion of a rule, as that term
26 is defined in section 536.010, that is created under the authority delegated in this section
27 shall become effective only if it complies with and is subject to all of the provisions of
28 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
29 nonseverable and if any of the powers vested with the general assembly under chapter 536
30 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
31 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
32 adopted after August 28, 2014, shall be invalid and void.

 650.709. 1. A special fund is hereby created in the state treasury, to be known as
2 the "Motor Vehicle Theft Prevention Trust Fund", which shall be administered by the
3 department of public safety at the direction of the council.

4 2. All moneys received by the department under section 650.712 shall be deposited
5 into the fund and shall not be considered general revenue of the state.

6 3. Money in the fund shall be expended as follows:

7 (1) To pay the department's costs to administer the council and the fund. However,
8 the amount expended for this purpose in any one fiscal year shall not exceed ten percent
9 of the amount of money collected under section 650.712 that same fiscal year;

10 (2) To achieve the purposes and objectives of sections 650.700 to 650.712 including,
11 but not limited to, the following:

12 (a) To provide financial support to law enforcement and correctional agencies,
13 prosecutors, and the judiciary for programs designed to reduce motor vehicle theft and to
14 improve the administration of motor vehicle theft laws;

15 (b) To provide financial support for federal and state agencies, units of local
16 government, organizations for programs designed to reduce motor vehicle theft and to
17 improve the administration of motor vehicle theft laws;

18 (c) To provide financial support to conduct programs designed to inform owners
19 of motor vehicles about the financial and social costs of motor vehicles, about the financial
20 and social costs of motor vehicle theft and to suggest to those owners methods for
21 preventing motor vehicle theft;

22 (d) To provide financial support for plans, programs and projects designed to
23 achieve the purposes of sections 650.700 to 650.712.

24 4. Notwithstanding the provisions of section 33.080, moneys in the fund shall not
25 be transferred and placed to the credit of the general revenue fund.

 650.712. Each insurer engaged in writing private passenger motor vehicle insurance
2 coverages shall collect and pay into the fund established in section 650.709 an amount
3 equal to one dollar, or a lesser amount determined by the council, multiplied by the
4 insurer's total earned car years of private passenger motor vehicle insurance policies
5 providing physical damage insurance coverage written in this state during the preceding
6 calendar year.

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